

## IN THE COURT OF APPEALS OF THE STATE OF WASHINGTON

STATE OF WASHINGTON,	)	
	)	No. 62044-4-I
Respondent,	)	
	)	DIVISION ONE
v.	)	
	)	
SOLOMON A. GELETA,	)	UNPUBLISHED OPINION
	)	
Appellant.	)	FILED: June 7, 2010
_____	)	

PER CURIAM. Solomon Geleta appeals his conviction for indecent liberties, arguing that the trial court erred in failing to hold a pretrial hearing to determine whether his competency had been restored. He acknowledges that a Western State Hospital evaluation concluded his competency had been restored, that his trial counsel and the prosecutor stipulated to the restoration of his competency, and that the trial court relied on the stipulation and evaluation in finding him competent. He argues, however, that his counsel could not waive a competency hearing, and that the court had a duty to conduct an evidentiary hearing on its own motion. These arguments are controlled by our Supreme Court's recent decision in State v. Heddrick, 166 Wn. 2d 898, 908-09, 215 P.3d 201 (2009) (competency procedures may be waived by stipulation to competency; court need not employ competency procedures if it is satisfied there is no reason to doubt the defendant's competency; and "stipulations to competency and counsel's representations of medical findings can erase doubt

in the court's mind.”).

Geleta also contends the trial court's competency findings are boilerplate and inadequate for review.<sup>1</sup> We disagree. After considering the evaluation and the parties' stipulation, the court found that Gelata “understands the nature of the proceedings against him/her and is able to effectively assist counsel in the defense of his/her case.” The court also found that he “has the ability to understand the nature and consequences of a change of plea.” In light of the parties' stipulation, the undisputed evidence of restoration, and the absence of any disputed facts, these findings, although cursory, are sufficient for review. Gelata's pro se statement of additional grounds does not adequately articulate any additional issues for review.

Affirmed.

For The Court:

Spencer, J.

Dwyer, C. S.

Becker, J.

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<sup>1</sup> We note that the sole case cited by Geleta regarding findings in competency proceedings—State v. Israel, 19 Wn. App. 773, 777-78, 577 P.2d 631 (1978)—addresses finding requirements following an *evidentiary hearing* on competency and is thus distinguishable.